

IC 3-12-2.5

Chapter 2.5. Counting of Voting Machine Votes

IC 3-12-2.5-1

Application of chapter

Sec. 1. This chapter applies to each precinct where voting is by voting machine.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-1.5

Closing of all polls located in one room before vote count

Sec. 1.5. Except as provided in section 9 of this chapter, if the polls for more than one (1) precinct are located in the same room, the inspector of a precinct using the room may not begin the vote counting procedure until all the polls in the room are officially closed and no more persons are waiting in line to vote.

As added by P.L.10-1988, SEC.124. Amended by P.L.3-1995, SEC.121.

IC 3-12-2.5-2

Announcement of vote result

Sec. 2. After each voting machine has been locked and each counting compartment opened, the inspector shall announce in a distinct tone of voice the result of the vote as shown by the counter numbers for:

- (1) each candidate in the order as their offices are arranged on each machine; and
- (2) each public question.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-3

Recording of announced results by poll clerks

Sec. 3. Each of the poll clerks shall take down the result of the vote announced by the inspector under section 2 of this chapter and record it on books or papers prepared for that purpose.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-4

Certificate of results

Sec. 4. When all votes have been counted, the precinct election board shall prepare certificates on forms supplied for this purpose stating the number of votes that each candidate received for each office and on each public question. The number of votes that each candidate and public question received shall be written in words and numbers. The board shall also prepare a memorandum of the total vote cast for each candidate and ensure that each member of the board receives a copy of the memorandum.

As added by P.L.3-1987, SEC.348.

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Delivery of certificate of results

Sec. 5. The inspector and judge of the opposite political party shall deliver the certificates prepared under section 4 of this chapter, the list of voters, and the tally papers to the county election board by midnight on election day. However, if:

- (1) a voting machine failed;
- (2) the failure of the machine was reported as required by this title;
- (3) paper ballots were used in place of the machine or system;
- and
- (4) the use of the paper ballots caused a substantial delay in the vote counting process;

then the certificates, the list of voters, and the tally papers shall be delivered as soon as possible.

As added by P.L.3-1987, SEC.348. Amended by P.L.3-1993, SEC.183.

IC 3-12-2.5-6**Sealing of machines**

Sec. 6. After the voting machine vote totals have been taken and certified by a precinct election board under section 4 of this chapter, the inspector shall seal each voting machine in the presence of the board. A voting machine may not be moved from the polls after sealing until it is collected.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-7**News media certificate**

Sec. 7. Immediately upon completion of the vote count, each precinct election board shall make and sign a certificate for the news media showing the total number of votes received by each candidate and upon each public question in the precinct. The inspector and judge of the opposite political party shall deliver the certificate to the circuit court clerk at the same time that the certificates, the list of voters, and the tally papers are delivered under section 5 of this chapter. The circuit court clerk immediately shall deliver the certificate made for the news media to any person designated to receive the certificate by the editors of the newspapers published in the county or by the managers of the radio and television stations operating in the county. The county election board shall furnish each precinct election board with the forms on which the certificates are to be prepared.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-8**Counting and canvass to continue to completion**

Sec. 8. To minimize the delay in the counting of the vote, canvassing must begin immediately upon the closing of the polls and continue without interruption until all the votes are canvassed and all certificates of the vote required by section 7 of this chapter are

completed and delivered to the persons entitled to receive the certificates.

As added by P.L.3-1987, SEC.348.

IC 3-12-2.5-9

Absentee ballots

Sec. 9. (a) The precinct election board may count absentee ballots before the polls have closed.

(b) If the precinct election board counts absentee ballots under this section, a member of the precinct election board may not, before the polls have closed, provide any person other than a member of the precinct election board with information concerning the number of votes:

(1) a candidate received for an office; or

(2) cast to approve or reject a public question;

on absentee ballots counted under this section.

As added by P.L.3-1995, SEC.122.

IC 3-12-2.5-10

Expiration of chapter

Sec. 10. This chapter expires January 1, 2006.

As added by P.L.209-2003, SEC.182.